

APPEARANCE BOND FOR A MATERIAL WITNESS

AUSA Approval: _____

United States District Court	Southern District of California
United States of America v.	Crim. Case No.
	Magis. Case No.

We, _____ (name of surety) and _____ (name of material witness), post this bond and acknowledge we and our personal representatives are bound to pay the United States of America the sum of \$ _____, and there has been deposited in the Registry of the Court the sum of \$ _____ in cash. This bond is conditioned upon and posted to secure the appearance of material witness _____ to testify as a witness in the case noted above, before the assigned United States Magistrate Judge or District Judge, in the United States District Court for the Southern District of California, at San Diego, California, and at such other places as the material witness may be required to appear in accordance with any and all court orders and directions given or issued by the Magistrate Judge or any District Judge relating to the material witness' appearance in the case noted above, whether the case remains in that district or is transferred to any other district. The appearance bond further secures the above noted material witness' compliance with any court order, including surrendering to the INS.

If the material witness adheres to and performs every condition of this bond, and appears at court as directed or ordered, this bond shall be exonerated, but if the material witness fails to perform any condition of this bond, or fails to appear at court as directed or ordered, payment of this bond shall be due immediately. Any Magistrate Judge or District Judge authorized to preside over the case noted above may declare a forfeiture of this bond if the material witness breaches any condition of this bond. If the bond is forfeited and the forfeiture is not set aside or remitted, a judgment may be entered upon a motion filed in the United States District Court for the Southern District of California against the surety for the amount stated above, with costs and interest added, and execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and the other laws of the United States.

Material Witness' Signature: _____ Surety's Signature: _____

Surety's Home Address: _____

Material Witness' U.S. Address: _____

Acknowledgment: The surety noted above signed this bond before me, _____ (print name of person witnessing surety's signature), on _____ (date), at _____ (city/state).

My address is: _____

Signature Of Person Witnessing Surety's Signature: _____ Dated: _____

Bond Approved: _____, United States Magistrate Judge or District Judge

AFFIDAVIT BY THE OWNER OF THE CASH SECURITY FOR THIS BOND

I, _____ (print name of owner of cash), state that I reside at _____, and that I am the owner of the \$ _____ cash deposited in the Registry of the Court as security for this bond. That money is to be returned to me at the address noted here upon the exoneration of this bond.

I consent to subjecting those funds to the Local Court Rules of the United States District Court for the Southern District of California pertaining to bonds, and I consent, upon receiving notice of not less than ten days, to proceeding summarily to the rendering of a judgment against that cash security upon the breach of a condition under this bond or by the contumacy of the material witness.

Dated: _____

Signature of the Owner of the Cash Security

FINANCIAL JUSTIFICATION OF THE SURETY

I, _____ (print name of surety), state under penalty of perjury under the laws of the United States of America, that I have a net worth of at least \$ _____, and that I reside at _____.

Dated: _____

Signature of the Surety

SURETY AGREEMENT

I understand by signing this bond I will be responsible for the material witness' appearance in court and for his or her compliance with any and all conditions of the release and orders as directed by the court. If the material witness does not appear in court as ordered or comply with the conditions of the release and any court orders, I will be required to pay the full amount of the bond, and any cash security I posted with the court may be taken by the United States Government to partially satisfy the obligation of this bond, and a judgment may be entered against me for the full amount of the bond.

Dated: _____

Signature of the Surety